

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

SHERWIN ALUMINA L.P.,	§	
	§	
	§	
	§	
Plaintiff/Counter-Defendant,	§	Civil Action
	§	No. C-06-183
v.	§	No. C-06-210
	§	
	§	
ALUCHEM, INC.,	§	
	§	
Defendant/Counter-Claimant.	§	
	§	

ORDER DENYING MOTION WITHOUT PREJUDICE

On this day came on to be considered Plaintiff/Counter-Defendant Sherwin Alumina, L.P.'s ("Sherwin") Unopposed Motion to Postpone Ruling (D.E. 57).

On May 22, 2006, Defendant/Counter-Claimant AluChem, Inc. ("AluChem") filed a Motion for Preliminary Injunction, Permanent Injunction, and Summary Judgment (D.E. 16). Sherwin's Unopposed Motion to Postpone Ruling requested that the Court stay any decision on AluChem's Motion for Summary Judgment and Motion for Preliminary and Permanent Injunction until the parties' ongoing settlement negotiations run their course.

After consideration of Sherwin's Unopposed Motion to Postpone Ruling, the Court ORDERS as follows:

1. The Court DENIES AluChem's Motion for Preliminary Injunction, Permanent Injunction, and Summary Judgment

(D.E. 16), without prejudice to reassert at a later date.

2. The Parties shall provide a status report to the Court on or before August 22, 2006.

SIGNED and ENTERED this 16th day of August, 2006.

A handwritten signature in black ink, reading "Janis Graham Jack", written over a horizontal line.

Janis Graham Jack
United States District Judge